

RCE/3738

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**REQUEST  
FOR  
CONTINUED EXAMINATION  
(RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or patent application

Application Number	09/813,091
Filing Date	March 19, 2001
First Named Inventor	Walter J. Ledergerber
Group Art Unit	3738
Examiner Name	Isabella
Attorney Docket Number	491,920-029 (prev 263/103)

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective May 29, 2000. If the above-identified was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patented term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on August 25, 2003  
Any unentered amendment(s) referred to above will be entered.
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS), PTO 1449 and Cited References

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any deficiency of fees, or credit any overpayments, to Deposit Account No. 500639
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$385.00)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$55.00 – 1 month); if any extension of time is required, please consider this a request therefore.
- iii. ☐ Other: Extra Claim Fees \$ \_\_\_\_\_
- b. ☒ Check in the amount of \$440.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	David B. Murphy	Registration No. (Attorney/Agent)	31,125
Signature	<i>David B. Murphy</i>	Date	October 30, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, Alexandria, VA 22313-1450, subject to the provisions of 37 CFR 1.8.

Name (Print/Type)	Denise N. Doss	Date	October 31, 2003
Signature	<i>Denise Doss</i>		